

## CHAPTER 12

### FACILITY ACCESS

It is the policy of the State of Hawaii to ensure that facilities or sites where we choose to operate our programs, services, or activities do not present architectural barriers which impede utilization by individuals with disabilities. This policy is reaffirmed by the Governor's Administrative Directive 98-02.

☞ Refer to **ATTACHMENT R** for a copy of the Governor's Administrative Directive 98-02 on Facility Access.

This Chapter provides you with the basic information on both the administrative requirements for construction, as well as the technical design specifications for an accessible facility.

#### 12.1 New construction and alteration of buildings and facilities

The Americans with Disabilities Act, Title II, requires that all new construction and alterations of state government buildings and facilities be accessible to individuals with disabilities. Hawaii State law, §103-50, also has a similar requirement. It states that all new construction and alterations of buildings and facilities by the state, or on behalf of the state, shall be fully accessible to and usable by people with disabilities.

The concept of "fully accessible to and usable by people with disabilities" means that the buildings and facilities must comply to a specific design standard. In federal law, this design standard is known as the Americans with Disabilities Act Accessibility Guidelines, also known as ADAAG. State law also adopts the same federal design standard, but gives the state the authority to adopt additional design guidelines which might exceed the federal ADAAG. To-date, the State of Hawaii has adopted guidelines which exceed the federal ADAAG in the area of children's facilities and housing facilities. It is not anticipated that additional guidelines will be adopted in the near future.

The State of Hawaii has set up a process for the review of state projects under construction or alteration by the Commission on Persons with Disabilities to ensure that the design requirements for people with disabilities are met.

If your department or agency is in the planning or construction phase for a building or facility, whether it be new construction, or alteration, you should ask your department Capitol Improvement Project (C.I.P.) coordinator or other appropriate facility staff responsible for the new construction or alteration design, if the plans have been reviewed for accessibility by the Commission on Persons with Disabilities.

## **12.2 Existing state buildings and facilities**

If your program or service is occupying space in a state building or facility not under construction or alteration, but existing prior to the enactment of the new construction requirements of the Americans with Disabilities Act, you still have an obligation to make sure your program or service is not excluding people with disabilities due to facility inaccessibility.

If the site of your program, service, or activity is not accessible, you may "solve" the problem by:

- upgrading of your building to meet certain minimum facility requirements for program access (which are less stringent than the requirements for new construction); or
- making administrative changes, such as relocating programs or services from one site to another, or changing the manner in which the program, service, or activity is offered.

Your department or agency is required to have a TRANSITION PLAN, which outlines the physical barriers at all the sites where programs and services are held, and prioritizes the removal of those barriers, with cost estimates. If you are unaware of the existence of a TRANSITION PLAN or want to know when a specific building, facility, or site is being planned for removal of barriers, contact the ADA Coordinator for your department or agency.

## **12.3 Private facilities leased by the State**

If your program, service, or activity is being operated in a facility which is not state-owned, but leased from the private sector, you still have an obligation to make sure your program or service is not excluding people with disabilities due to facility inaccessibility.

If the site of your program, service, or activity is not accessible, you may "solve" the problem by:

- upgrading of the building to meet certain minimum facility requirements for program access (which are less stringent than the requirements for new construction), either through direct payment by the state or by agreement with the lessor; or
- renegotiating the changes into the lease renewal; or
- moving to another, more accessible location.

If negotiation of the lease is necessary or a move to an alternate site is needed, the analysis will be done in conjunction with the leasing branch of the Department of Accounting and General Services, which has established

minimum standards for accessibility prior to entering or renewing a lease agreement.

## **12.5 Components of an accessible site for a program, service or activity**

Finding a location which is physically accessible is critical to ensuring equal access for all people who have disabilities. The components of an accessible site include the following features:

- an accessible route from a public transportation stop to an accessible entrance
- an accessible passenger loading zone with an accessible route to an accessible entrance
- accessible parking spaces with an accessible route to an accessible entrance
- accessible interior routes within the building, including elevators, hydraulic wheelchair lifts, ramps
- an accessible men's and women's rest room or unisex restroom
- an accessible water fountain along an accessible route
- an accessible public telephone along an accessible route
- accessible meeting or event rooms
- assistive listening systems
- conveniently located accessible lodging, if overnight stays are involved
- accessible emergency egress

It is important to remember that a site's accessibility features are critical, not only to individuals with mobility impairments, but also to individuals with visual and hearing impairments.

You cannot assume that a site is accessible even if staff at the site indicate so. Staff at many properties often incorrectly assume that their location is "accessible" to people who have disabilities simply because they recall that a prior individual with a disability used the site.

The term "accessible" means that an element on site meets the requirements of a design standard. Newer buildings will tend to be more accessible. But that does not mean that new sites should be presumed to be fully accessible; nor should older sites be excluded from consideration simply due to their age, as

many older properties have been upgraded for accessibility. When in doubt check out the site yourself.

☞ *Refer to **ATTACHMENT S** for a checklist on site accessibility.*

When you are selecting a site for a conference, workshop, or other training activity, used on a one-time basis, there are some additional considerations and challenges which must be taken into account. The arrangement in the meeting rooms are important to provide full access and comfort for people with disabilities. The meeting rooms should be set up for your audience to allow people with mobility impairments, particularly those in wheelchairs, to sit dispersed throughout the audience. The seats should be arranged so that a person using a wheelchair is able to sit with a companion or work colleague during the session. Staff should be notified to remove chairs, upon request, after the person with a disability chooses his or her seat. The chairs should not be removed in advance unless seats are assigned, as such an action would preclude a person who has a disability from choosing a location of personal preference. A very convenient seating style, particularly for classroom set-up, is a modified chevron or herringbone seating pattern, as it provides for greater mobility in the middle of the room, plus good visibility.

You should also remember to set up your training with an area to permit a sign language interpreter to be as close to the main speakers as possible. If a sign language interpreter is used, remember to set up seats for those people who are deaf or hard of hearing in the line of sight of the interpreter.

People who are blind or who have low vision will also need to sit up front to have closer access to the speakers and to see visual presentations as well.

The facility manager should be prepared to set up assistive listening systems, if requested by a person who is hard of hearing.

☞ *Refer to **ATTACHMENT T** for information on assistive listening devices.*

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## CHECKLIST TO ENSURE FACILITY ACCESS

YES NO

\_\_\_ \_\_\_ Planned new construction or alteration: For a building or facility under new construction or undergoing a planned alteration ... have the plans and specifications been reviewed by the Commission on Persons with Disabilities for conformance to appropriate design requirements?

If NO, consult with your department ADA Coordinator, CIP Coordinator, or facility Coordinator.

\_\_\_ \_\_\_ Existing state-owned site: For an existing building or facility with no planned alteration ... does the existing building or facility meet minimum requirements for program access for persons with disabilities.

 *Refer to ATTACHMENT S for information on site access.*

If NO, consult with your department ADA Coordinator, CIP Coordinator, or facility Coordinator to ensure that the building or facility has been included in your departmental TRANSITION PLAN for the removal of barriers.

\_\_\_ \_\_\_ Existing leased site: For an existing leased building or facility with no planned alteration ... does the existing building or facility meet minimum requirements for program access for persons with disabilities and the Comptroller's minimum guidelines for leased space?

 *Refer to ATTACHMENT S for information on site access.*

If NO, consult with your department ADA Coordinator, CIP Coordinator, or facility Coordinator to ensure that the building or facility has been included in your departmental TRANSITION PLAN for the removal of barriers or has been scheduled to be moved to another location.

\_\_\_ \_\_\_ Site for a meeting or activity: For a building or facility scheduled to be used for a one-time workshop, conference, or activity ... has the site been surveyed to ensure that it is appropriate and accessible for participants with disabilities?

 *Refer to ATTACHMENT S for information on site access.*

If NO, select another site.